

1 HONORABLE RICHARD A. JONES
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 JACOB HOWARD NICOLAAS,

12 Plaintiff,

13 v.

14 ALEXANDER PACE, et al.,

15 Defendants.

CASE NO. C12-1357RAJ

ORDER REMANDING CASE TO
WHATCOM COUNTY SUPERIOR
COURT

16 Plaintiff Jacob Nicolaas and Defendants Alexander Pace and Jane Doe Pace have
17 jointly moved to remand this action to Whatcom County Superior Court. The court
18 previously granted summary judgment in favor of all other Defendants.

19 The court is reluctant to remand the case more than a year after it arrived in this
20 court. For the benefit of the state court, the court notes that the parties jointly requested
21 remand because they were not prepared to try this case as scheduled. Rather than punish
22 the parties for their counsel's lack of preparation, the court GRANTS the stipulated
23 motion to remand. Dkt. # 43. The court concludes that there is no just reason to delay
24 entry of final judgment in favor of all Defendants except Alexander and Jane Doe Pace,
25 and directs the clerk to enter judgment for those Defendants in accordance with Federal
26 Rule of Civil Procedure 54(b).

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ORDER – 1

The clerk shall remand Mr. Nicolaas's claims against the Pace Defendants to Whatcom County Superior Court, where it was originally assigned cause number 12-2-01522-4.

Dated this 18th day of November, 2013.

Richard D. Jones

The Honorable Richard A. Jones
United States District Court Judge

ORDER - 2